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FOLEY & LARDNER LLP
ATTORNEYS AT LAW
11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM

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Total # of Pages 16 (including this page)

TO:	PHONE #:	FAX #:
Examiner Sandra Saucier Group Art Unit 1651 United States Patent and Trademark Office	571-272-0922	703-872-9306

From : Stephen E. Reiter *SE*
Email Address : sreiter@foley.com
Sender's Direct Dial : 858.847.6711
Date : October 21, 2004
Client/Matter No : 074066-0104 (CENTMED.020A)
User ID No : 1877

MESSAGE:

Re: U.S. Application No. 09/916,396

Following are:

- 1) Amendment Transmittal, in duplicate (6 pgs.)
- 2) Response Under 37 C.F.R. 1.116 (9 pgs.)

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Atty. Dkt. No. CentMed.020A (074066-0104)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fahy


Title: AN ADVANTAGEOUS CARRIER SOLUTION
FOR VITRIFIABLE CONCENTRATION OF
CRYOPROTECTANTS, AND COMPATIBLE
CRYOPROTECTANT MIXTURES

Appl. No.: 09/916,396

Filing Date: 07/27/2001

Examiner: Sandra E. Saucier

Art Unit: 1651

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
Stephen E. Reiler, Reg. No. 31,192	
(Printed Name)	
 E. L.	
(Signature)	
October 21, 2004	
(Date of Deposit)	

AMENDMENT TRANSMITTAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	22	-	28	=	0	x	\$18.00	=	\$0.00
Independent Claims:	11	-	12	=	0	x	\$88.00	=	\$0.00
First presentation of any Multiple Dependent Claims:		+					\$300.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

In re application of
 Gregory M. Fahy
 Application No.: 09/916,396
 Page 2 of 3

Atty. Dkt. No. CentMed.020A (074066-0104)

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the second month:	\$430.00	\$430.00
<input type="checkbox"/> Extension for response filed within the third month:	\$980.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00	\$0.00
EXTENSION FEE TOTAL:		\$430.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$430.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$215.00
TOTAL FEE:		\$215.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$215.00. A duplicate copy of this transmittal is enclosed.

☐ A check in the amount of \$215.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

In re application of
Gregory M. Fahy
Application No.: 09/916,396
Page 3 of 3

Atty. Dkt. No. CentMed.020A (074066-0104)

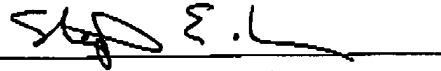
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

10/21/04

By



FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6711
Facsimile: (858) 792-6773

Stephen E. Reiter
Attorney for Applicant
Registration No. 31,192

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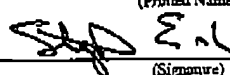
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Atty. Dkt. No. CentMed.020A
(074066-0104)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gregory M. Fahy

Title: AN ADVANTAGEOUS CARRIER
SOLUTION FOR VITRIFIABLE
CONCENTRATIONS OF
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COMPATIBLE CRYOPROTECTANT
MIXTURES

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia, at 703-872-9306, on the date below. <u>Stephen E. Reiter, Reg. No. 31,192</u> (Printed Name)  (Signature) <u>October 21, 2004</u> (Date of Deposit)

Appl. No.: 09/916,396

Filing Date: July 27, 2001

Examiner: Sandra E. Saucier

Art Unit: 1651

Conf. No. 7764

RESPONSE UNDER 37 C.F.R. 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the Advisory Action mailed October 1, 2004, and in further response to the Office Action dated June 16, 2004, please consider the following amendments and remarks.

Amendments to the Claims are included in the Listing of Claims, which begins on page 2 of this communication.

Remarks begin on page 6 of this communication.